

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)
HUBR 1067.3

In re Application of: **Christophe Seidel, et al**

Application No.: **09/896,032**

Filed: **June 29, 2001**

For: **METHOD FOR DETERMINING EARLY HCV SEROCONVERSION**

The owner*, Roche Diagnostics GmbH, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of Prior Patent No. 6,306,579. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

 9/16/02
Signature Date

Norman D. Hanson

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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13. Vector pUC-D26.
14. Cell,
wherein
it is transformed with at least one copy of a
nucleic acid as claimed in claim 10 or 11 or of a
vector as claimed in claim 12 or 13.
15. Cell as claimed in claim 14,
wherein
it is a prokaryotic cell.
16. Cell as claimed in claim 15,
wherein
it is an E. coli cell.
17. Use of a polypeptide as claimed in one of the
claims 1 to 9 as an antigen in an immunological
test method or as a helicase protein.
18. Method for the immunological determination of an
antibody directed towards a hepatitis C virus in a
sample liquid,
wherein
the sample liquid is incubated with at least one
polypeptide as claimed in one of the claims 1 to 9
and the antibody is detected by binding to the
polypeptide.
19. Method as claimed in claim 18,
wherein
the sample liquid is incubated with two
polypeptides P₁ and P₂,

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